

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. A-65680-2/RFT/RMS/DAV

Anticipated Classification of this Application:

Class: Subclass:

Enter Application

Examiner:

Art Unit:

"EXPRESS MAIL" MAILING LABEL

NUMBER EI 117 282 997 US

DATE OF DEPOSIT October 27, 1998

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING
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37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS
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WASHINGTON, DC 20231.

TYPED NAME Geody Domingo

SIGNED *Geody Domingo*

Box PATENT APPLICATION FEE

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

This is a request for filing an

☐ Original

☐ Continuation

☒ Divisional

☐ Continuation-in-part

application under 37 C.F.R. 1.53(b), in the name of

Thomas Haaf, et al.

(Names of ALL Applicants)

for METHODS AND COMPOSITIONS UTILIZING RAD51

(Title of Invention)

This

☐ continuation

☒ divisional

☐ continuation-in-part

claims priority to pending application Serial No. 09/007,020 filed on January 14, 1998, Serial No. 60/035,834 filed on January 30, 1997 and application Serial No. 60/045,668 filed on May 6, 1997.

1. Enclosed is a
 - (a) ☐ new application.
 - (b) ☐ Enclosed is a continuation-in-part application.
 - (c) ☒ Enclosed is a copy of the prior application.

2. (a) ☐ Enclosed is a new Declaration.
 (b) ☒ Enclosed is a copy of the prior Declaration as originally filed.

3. (a) ☐ Enclosed is a Small Entity Affidavit.
 (b) ☒ A Small Entity Affidavit is of record in the prior application.

4. ☒ The filing fee is calculated below:

Claims as filed in the prior application, less any claims canceled by amendment below:

	(Col. 1) NO. FILED	(Col. 2) NO. EXTRA	SMALL ENTITY RATE FEE	OTHER THAN SMALL ENTITY RATE FEE
BASIC FEE			\$395	\$790
TOTAL CLAIMS	<u>5</u> - 20 =	0	x 11 = \$	x 22 = \$
INDEP CLAIMS	<u>2</u> - 3 =	0	x 41 = \$	x 82 = \$
MULTIPLE DEPENDENT CLAIM PRESENTED			+135 = \$135	+270 = \$
If the difference in Col 1 is less than zero, enter "0" in Col. 2			TOTAL \$530	TOTAL \$

5. ☒ The Commissioner is authorized to charge any additional fees which may be required, including extension fees, or credit any overpayment to our Deposit Account.

6. ☒ A check in the amount of \$530.00 is enclosed

7. ☒ Cancel in this application original claims 1-17, 22-46 of the prior application before calculating the filing fee. (At least one independent claim must be retained for filing purposes.)

8. ☒ Amend the specification by inserting before the first line the sentence:

--This is a ☐ continuation ☒ divisional ☐ continuation-in-part
 of application Serial No. 09/007,020 filed January 14, 1998 .--

9. (a) ☒ Informal drawings are enclosed. **8 SHEETS**
 (b) ☐ Formal drawings are enclosed.

10. (a) ☐ Priority of application Serial No. filed on in is claimed under 35 U.S.C. 119.

- (b) ☐ The certified copy has been filed in prior application Serial No. filed on .

11. ☒ The prior application is assigned of record to Yale University

12. ☐ The power of attorney in the prior application is to:

FLEHR HOHBACH TEST
 ALBRITTON & HERBERT LLP
 4 Embarcadero Center, Suite 3400
 San Francisco, CA 94111


- (a)___ The power appears in the original papers in the prior application.
(b)X Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
(c)___ A new power has been executed and is enclosed.
(d)___ Address all future communications to:

FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP
Suite 3400, Four Embarcadero Center
San Francisco, California 94111-4187
Telephone: (415) 781-1989
Attn: Richard F. Trecartin

13. X A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
14. X I hereby verify that the attached papers are a true duplicate of prior application Serial No. 09/007,020 as originally filed on January 14, 1998.

Date: October 27, 1998

Signature: _____


Dolly A. Vance
Reg. No. 39,054

Address of Signer:

FLEHR HOHBACH TEST
ALBRITTON & HERBERT LLP
4 Embarcadero Center, Suite 3400
San Francisco, CA 94111

Attorney or agent of record

XX

Filed under Section 1.34(a)